

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERNA PARINO,

Plaintiff,

No. C 11-03149 WHA

v.

BIDRACK INC.,

**ORDER TO SHOW GOOD CAUSE**

Defendant.

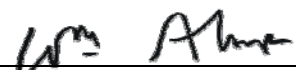
This purported class action was commenced in June 2011. Defendant BidRack, Inc., owns and operates www.bidrack.com, an online “penny auction” site where bidders purchase and place bids in hopes of winning auctions for valuable items at discounted prices. In May 2011, plaintiff Verna Parino was directed to the BidRack website after clicking on a paid advertisement and tricked into paying \$99. The complaint alleges, among other things, unfair competition.

This action is on its dying breath. The deadline for class certification passed without any activity. Defendant’s counsel was allowed to withdraw from representation after defendant stopped communications. Defendant is a corporation and thus unable to proceed pro se. Default was entered against defendant a few months ago but plaintiff has not yet filed a motion for default judgment.

At the final pretrial conference scheduled for June 11 at 2:00 p.m., plaintiff’s counsel shall show good cause for not filing a motion for default judgment. If good cause is not shown, this action may be dismissed for failure to prosecute.

**IT IS SO ORDERED.**

Dated: June 5, 2012.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE